

June 10, 2005

Honorable Charles S. Haight  
Senior United States District Judge  
Southern District of New York  
United States Courthouse  
500 Pearl Street  
New York, New York 10007

Re: United States v. Jerry Weissman  
Docket No. S1 94 CR 760 (CSH)

Dear Judge Haight:

I am respectfully withdrawing the application on behalf of my client Jerry Weissman, made by letter to the Court dated March 7, 2005 for judicial relief, pursuant to 29 U.S.C. § 1111(a). Although we started this process with the goal of establishing a company that would service ERISA benefit plans, recent funding complications have made that endeavor unfeasible at this time. In order to avoid potentially unnecessary procedures, I have agreed with Department of Labor counsel to withdraw Mr. Weissman's application at this time. Should the funding situation change for the better, I respectfully request permission to renew this application to the Court.

Accordingly, I also ask the Court to adjourn the hearing scheduled for September 28, 2005 without date, until after a subsequent application is made.

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I thank Your Honor for your courtesy and consideration on behalf of my client Jerry Weissman.

Respectfully submitted,

Ephraim Savitt

ES:mlo

cc: Clerk of the Court (CSH)  
AUSA Joanne Berman  
John Campbell, Esq., DOL  
Jerry Weissman